



LEARN ABOUT: EOIR's Office of the Ombuds

***A neutral, confidential place to informally explore
resolving workplace conflicts***

♦ **Guiding Principles:**

- **Impartial**—an advocate for a fair process, not for either side
- **Confidential**—information will not be disclosed except in rare, limited circumstances such as imminent harm
- **Independent**—free from interference
- **Informal**—not part of any formal complaint or grievance

♦ **The Ombuds' Services Include:**

- Consultation/Referrals
- Conflict Coaching
- Informal Mediation
- Facilitated Discussions
- Raising Systemic Issues

♦ **The Ombuds does not:**

- Make binding decisions
- Change policies
- Serve in formal complaint or grievance processes
- Conduct formal investigations

The Office of the Ombuds is a resource for employees at all levels of EOIR to explore options for preventing, managing, or resolving conflict.

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Office of the Ombuds

Serving EOIR's Workforce

confidential • neutral • informal • independent

FREQUENTLY ASKED QUESTIONS

What is the EOIR Office of the Ombuds?

The Office of the Ombuds, or Ombuds, is an independent, impartial, informal, and confidential resource to explore the resolution of individual and systemic issues affecting EOIR. Employees, managers, and agency leaders can all talk to the Ombuds about concerns they have and explore options to improve challenging situations. The Ombuds is available to discuss workplace concerns, works to understand all sides of conflicts, and helps people explore and evaluate options to resolve issues. The Ombuds is independent of EOIR management.

When might I contact the Ombuds?

Perhaps you are unsure about where to go to address a concern, or you want to vent before an issue escalates. You might feel unclear about EOIR's policies and procedures and need help getting clarification. You might just want to discuss what has been going on with a neutral third-party.

There are a number of ways Ombuds can help. They are there to help people figure out a way to deal with a conflict or question themselves or to help employees think about problems in different ways. Ombuds can be an independent voice and raise ongoing or systemic issues with senior leadership to help the agency as a whole develop strategies and actions to address problems, or even better, to prevent issues from becoming problems in the first place.

What do the four Ombuds' standards mean?

Impartial: The Ombuds approaches matters without bias and does not take sides or advocate for either side. If anything, the Ombuds advocates for fairness.

Confidential: The Ombuds is a safe place to talk because it is confidential (barring rare circumstances like imminent harm) and off-the-record. Individuals may voice their concerns and frustrations without fear of retaliation.

Informal: The Ombuds is not an investigator and does not receive or process formal complaints. Rather, the Ombuds is a sounding-board and a resource to improve the work environment.

Independent: The Ombuds works outside the management structure with full access to all information and people—including the EOIR Director and senior EOIR leaders—necessary to perform Ombuds' duties.

What issues are appropriate to discuss with the Ombuds?

Sometimes we need a little help from someone else, just to talk about what is going on, or in circumstances when we are unsure where to begin. Maybe we have dealt with something for a long time, and despite our best efforts, it just is not working. We may hold onto something that is eating away at us, but we do not feel there is anyone we can trust to talk about it. These are just a few examples of what you discuss with the Ombuds.

The EOIR Ombuds is not part of any formal grievance, complaint process, investigative, or oversight function. The Ombuds is not authorized to receive notice of alleged violations on behalf of the agency. This means that if you have an issue that might be more appropriate in another office, such as a grievance, discrimination allegation, or matter of fraud, waste or abuse, the Ombuds will discuss those options with you so that you can choose what works best for you.

When talking to the Ombuds, I share that my issue is related to discrimination. What happens next?

The EOIR Ombuds can still talk about options with you. You will also be reminded that contacting the Ombuds does not count as making timely contact with the agency, since the Ombuds is not authorized to receive notice of alleged violations for EOIR.

Are timelines for filing formal complaints put on hold?

No. Seeking the Ombuds' assistance does not change deadlines and timelines for filing and processing a complaint or appeal under any other complaint procedure.

How does an Ombuds maintain confidentiality?

The Ombuds does not share information without permission, maintains information in a secure way, and has a duty to resist all requests for confidential information by anyone, whether internal or external to EOIR and DOJ. Working notes are not considered records and are destroyed once the matter is considered closed. The exception to confidentiality is the rare instance where the Ombuds must adhere to Federal laws, such as when there appears to be imminent risk of serious harm.

Will the Ombuds tell management what I said?

No. The Ombuds has a duty to protect your identity and will not share information provided in confidence, to the maximum extent permitted by law.

What if I would like an issue raised, but I do not want my name shared?

The Ombuds often raises broad concerns without identifying the person who initially expressed the concern. The option of the Ombuds addressing issues without attribution is worth exploring. Even if a supervisor asks, the Ombuds does not share the names of those who contact them. This applies to everyone, including management and agency leaders, who also may want to raise issues with the Ombuds. If a supervisor states that he or she knows who brought something forward, the Ombuds does not confirm or deny this.

Are Ombuds confidential so that the agency can hide wrongdoing?

No. Confidentiality is not an agency requirement; it is a core ombuds standard. It is not based on a desire to mislead or hide matters. Rather, confidentiality ensures that people feel safe to discuss any matter with the Ombuds. The default approach is complete confidentiality unless permission is explicitly given to share information. We provide this commitment, except in very rare cases, when required to disclose by law.

Does the Ombuds advocate for employees?

No. The EOIR Ombuds is neither part of management nor an employee advocate, such as a union, which represents employees. The Ombuds strives to be impartial and does not take sides. The Ombuds advocates for fairness and objectivity as a neutral third party.

I would like the Ombuds to change a policy. Is that possible?

Ombuds do not have the power to change policies or make decisions. However, we are able to independently offer feedback about possible additions or changes to policies that may be unclear, unfair, or seem to be having unintended consequences.

How do I contact the Ombuds?

Call EOIR's Office of the Ombuds at 703-305-0418, or send an email to EOIROmbuds@usdoj.gov.

